

APPEAL NO. 020110
FILED FEBRUARY 12, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 18, 2001. The hearing officer determined that (1) the appellant/cross-respondent (claimant) did not sustain a compensable injury in the form of an occupational disease; (2) the date of the claimed injury (DOI) is _____; (3) the claimant timely reported the claimed injury to his employer; and (4) the claimant did not have disability. The claimant appeals the injury and disability determinations on sufficiency grounds. The respondent/cross-appellant (carrier) cross-appeals the DOI and notice determinations on sufficiency grounds.

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determinations. The hearing officer's injury, DOI, and notice determinations involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). Because the claimant did not sustain a compensable injury, the hearing officer properly concluded that the claimant did not have disability. Section 401.011(16).

The decision and order of the hearing officer are affirmed.

The true corporate name of the carrier is **CONTINENTAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**C.T. CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Edward Vilano
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Susan M. Kelley
Appeals Judge